



1 considering Dr. Diller's opinion that she could only perform part-time work. Plaintiff argues the  
2 relevance of the SSA's definition of "work" which implies full time work. However, this Court  
3 did not uphold the ALJ's rationale based on the SSA's particular definition of work, but the fact  
4 that no physician opined Plaintiff could not work in the literal sense. As explained in the Order,  
5 this is true because even Dr. Diller found Plaintiff capable of part-time work. The Court did not  
6 find, nor did the ALJ, that part-time work is conclusive evidence that Plaintiff has the ability to  
7 work full time; Dr. Diller's opinion that Plaintiff is still capable of part-time work is simply a  
8 factor that may be considered in the ultimate determination of her ability to work as defined by  
9 the SSA.

10 Plaintiff also argues the Court should reconsider its determination that the ALJ did not err  
11 by not having a physician submit an additional residual functional capacity report. Dkt. 18 at 2.  
12 Plaintiff restates her original argument and does not present any showing of new facts or legal  
13 authority or allege any misapprehension as required under a motion for reconsideration. Local  
14 Civil rule 7(h). The Court's original order responds to Plaintiff's argument in this regard. Dkt.  
15 16 at 8-9.

16 For the foregoing reasons, Plaintiff's motion for reconsideration is DENIED.

17  
18 DATED this 20<sup>th</sup> day of January, 2009

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22 Carolyn R. Dimmick  
23 United States District Judge  
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